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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,804	12/04/2001	Ilan Schayek	DIDS118373	9841
26389	7590	03/23/2005	EXAMINER	
CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC 1420 FIFTH AVENUE SUITE 2800 SEATTLE, WA 98101-2347			REID, CHERYL M	
			ART UNIT	PAPER NUMBER
			2142	

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/006,804

Applicant(s)

SEHAYEK ET AL.

Examiner

Cheryl M. Reid

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 11 and 32 are objected to because of the following informalities:

Applicant recites "wherein the maintenance information update, upgrade and integration templates." Examiner assumes that applicant intended to write "wherein the maintenance information is used to update, upgrade and integration of templates."

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1 and 22 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for a network device, does not reasonably provide enablement for a network device. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected. Claim 1 and 22 recites a network device for providing a data interchange between two or more software applications connected to the network and wherein the network device does not include any input devices. The invention cannot be enabled if the network device does not include any input devices because then it would not be able to obtain data from various applications.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 1-3,22-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Ankireddipally (US 6772216).

Claim 1-3,22-24

- Ankireddipally teaches of a processor operable to execute computer-readable instructions; a mass memory including one or more computer-readable components operable to process data from one or more software applications; a network interface (CX server) in communication with a communication network interface (Fig 1, item 34 or item 38) operable to obtain data from one or more transmitting software applications and transmit processed data to one or more receiving software applications (Col 11, lines 30-35); include a workflow component operable to schedule...(Col 11, lines 35-43). Microsoft Computer Dictionary defines a workflow application as a set of programs that aids in the tracking and

management of all activities in a project from start to finish. Examiner is using this definition;... include a message distribution component operable transmit messages (Col 12, lines 30-37).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4-8, and 9-14, 20-21, 25-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ankireddipally (6772216), which will be further referred to as Ankir, as applied to claim 1 above, and further in view of Malik (5832503).

Claim 4-5, 20-21, 25-26

- Ankir does not explicitly teach of the data....graphical user interface.

Malik teaches of using a web-based graphical user interface (Fig. 2, Col 3, lines 18-24). Adding the above mentioned feature to Ankir would result in a more efficient system because it would result in a more user-friendly invention. It is for this reason that one of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications.

Claim 6-7, 27-28

- Ankir does not explicitly teach of network interface is further operable to generate one or more interfaces.... include a graphical user interface for configuring the communication...Malik teaches on these aspect (Col 3, lines 19-24). One of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed above in Claim 4.

Claim 8,29

- Ankir does not explicitly teach of the graphical user interface is operable to designate a network I.P. address. Malik teaches on this aspect (Col 3, lines 24-41). Adding the above mentioned feature to Ankir's invention would enable the configuration of a wide variety of different network devices (Malik, Col 2, lines 10-15) which would contribute to the enabling of process communications among network-distributed software(Ankir, Col 1, lines 25-30). It is for this reason that one of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications.

Claim 9,30

- Ankir does not explicitly teach of ... an LCD display for configuring the acceptance of a memory device. Malik teaches on this aspect (Col 6, lines 1-5). One of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed above in Claim 4.

Claim 10-11,31-32

- Ankir does not explicitly teach of: the network interface is further operable to communicate with an external maintenance service to obtain maintenance information (data pertaining to the condition...). Malik teaches on this aspect (Col 4, lines 25-33) where the external service is the virtual network; wherein the maintenance information is used to update, upgrade and integration templates (Malik, Col 4, lines 35-40). One of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed above in Claim 4.

Claim 12

- Ankir teaches of one or more network devices connected to a communication network, wherein the network device is operable to generate...(Fig 1, item 10 or 34 or 36). Ankir is silent in regards to ...generate a user interface...and having a browser thereon. Malik

teaches on this aspect (Col 3, lines 18-24, Fig 2). One of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed above in Claim 4.

Claim 13-14

- Ankir teaches of the data interchange system includes two or more network devices, wherein each networked device (Col 13, lines 1-5) and two or more network devices is dedicated to primarily data computation (Col 13, lines 1-10). The servers have data computing capabilities.

8. Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ankir and Malik as applied to claim 12 above, and further in view of Kim (6842769).

Claims 17,19

- Both Ankir and Malik did not explicitly teach of .. the network device is further operable to obtain software updates from... and the remote third party.....Kim teaches on these aspects (Col 1, lines 50-61, Col 5, lines 5-10). Adding the above-mentioned features results in having the most up-to-date data in regards to device configurations which would lead to

improved application interoperability (Ankir, Col 1, lines 45-50). This modification would also improve the recording and monitoring of equipment configurations (Kim, Col 2, lines 20-21). It is for this reason that one of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications.

Claim 18

- Ankir does not explicitly teach of ...transit integration template ..Malik teaches on this aspect (Col Fig 1, Fig 3). One of ordinary skill in the art at the time of invention would be motivated to make the above-mentioned modifications for the same reasons discussed above in Claim 4.

9. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ankir and Malik as applied to claim 12 above, and further in view of Leung (6195705).

Claim 15-16

- Both Ankir and Malik are silent in regards to two or more network devices and wherein a first network device and a second network device are connected in parallel and wherein the first and second network devices distribute all processing tasks. Leung teaches on these aspects. Leung

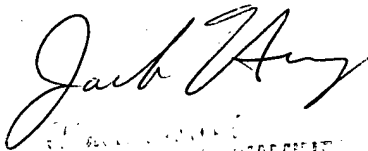
teaches of a primary and a standby router that share a virtual IP address (Col 3, lines 1-6). Although Leung did not explicitly teach that these devices are connected in parallel, examiner is interpreting these devices as being connected in parallel, because these devices operate in the same aspects of devices connected in parallel; when one device(primary router) fails, the (standby router) is still in operation. In regards to distributing processing tasks, that is the function of a router to distribute data to specified destination. Adding the above mentioned features to Ankir's invention would result in a more efficient system because it would allow the continued operation of the system in the event that one of the network devices fail. It is for this reason that one of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl M. Reid whose telephone number is 571 272 3903. The examiner can normally be reached on Mon- Fri (7-3:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on (571)272-3896. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

cmr



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